

APPROVED: Meeting No. 16-81

ATTEST: *[Signature]*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 11-81

April 20, 1981

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville Maryland, on Monday, April 20, 1981, at 8:00 p.m.

PRESENT

Mayor William E. Hanna, Jr.

Councilman Steve Abrams

Councilman John Freeland

Councilman John Tyner

ABSENT

Councilwoman Phyllis Fordham

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan; City Attorney Roger Titus; Director of Community Resources Bert Drayton; Director of Public Works Robert Goodin; Director of Recreation and Parks Ron Olson.

Re: City Manager's Report

Mr. Blick reported the following:

1. There were 700 participants at the Easter Egg hunts held yesterday at the Civic Center and Welsh Park.
2. The Frederick Avenue pedestrian overpass has been started by the contractor and a July 1 completion date is anticipated.
3. A traffic time clock has been installed at the intersection of West Montgomery Avenue, Jefferson Street and Falls Road. Reports will be given to the Council when they are complete.
4. The work session will be held next week by the Montgomery County Council on Mass Transit. In the past session, Councilwoman Crenca has suggested that the Council consider placing the ride-on system in sections of Rockville and Bethesda in FY 82.
5. A permit has been issued for a three-story building, comprising 64,000 square feet on Piccard Drive to be occupied by the Board of Realtors.

Re: Appointments

Mayor Hanna made the following appointments with the confirmation of the Council:

Animal Control Board: Margaretta Tutson, member - 3-year term
Richard Simmonds, chairman - one-year term
Merry Ellen Poole, alternate - 3-year term

Heritage House Board: Ron Collins, member, one-year term
222 North Van Buren Street

Alternative Community Service Commission: Michael Gordon, alternate, 1-year term
207 Upton Street *Judy Pfefferman*

Energy Commission: J. Raymond Carroll, member - 2-year term
15 Hawthorn Court

Howard Leviton, member - 2-year term
11 Leyton Court

Recreation and Park Advisory Board: Stephen Edwards, member - 2-year term
859 Azalea Drive

Civic Improvement Advisory Commission: Frances Manderscheid, 2-year reappointment term
Mary Kielkopf, 2 year reappointment term

Human Rights Commission: Marti Looper, member - 4-year term
106 Wall Street

Community Development Block Grant Committee: Judy Pfefferman, member - 2-year term
4 Grandin Circle

Re: Approval of Contract with Montgomery
County for the construction and
maintenance of the Maryland Avenue
right-of-way between Jefferson
Street & Courthouse Square

This is an amendment to the contract signed between Rockville and Montgomery County concerning the construction of Maryland Avenue extended. In the original agreement the County would be designing and building Maryland Avenue with City approval. Under the revised agreement, the City will design and build Maryland Avenue and the County will pay \$561,000. There are other minor adjustments to the contract. Councilman Tyner asked if the City would be doing the maintenance. The City Manager explained it is still under negotiation.

On motion of Councilman Freeland, duly seconded and unanimously passed, the Council approved the amendment to the contract.

April 20, 1981

Re: Preliminary Review of Text
Amendment T-44-81, Planning Commission,
Applicant

The subject text amendment has been prepared and filed on behalf of the Planning Commission to address several known and/or anticipated problems relative to off-street parking in the O-2 Transitional Office zone.

The subject amendment adds a subsection to the Parking, Loading and Access Requirements, giving the Planning Commission authority to waive certain specific parking design requirements when dealing with the conversion of existing buildings in the O-2 Zone.

On motion of Councilman Tyner, duly seconded and unanimously passed, Text Amendment Application, T-44-81, was referred to the Planning Commission for further review and action.

Re: Introduction of Ordinance: To
grant street closing application,
SCA-26-80, Applicant

On motion of Councilman Abrams, there was introduced upon the table an ordinance to grant street closing and abandonment application, SCA-26-80, WMATA, Applicant, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
grant street closing application,
SCA-27-80, WMATA Applicant

On motion of Councilman Freeland, there was introduced upon the table an ordinance to grant street closing and abandonment application, SCA-27-80, WMATA, applicant, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
grant street closing application,
SCA-28-80, WMATA Applicant

On motion of Councilman Abrams, there was introduced upon the table an ordinance to grant street closing and abandonment application, SCA-28-80, WMATA, applicant, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
grant street closing application,
SCA-29-80, WMATA, Applicant

On motion of Councilman Tyner, there was introduced upon the table an ordinance to grant street closing and abandonment application, SCA-29-80, WMATA, applicant, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To grant
Street Closing Application, SCA-30-80,
WMATA, Applicant

On motion of Councilman Abrams, there was introduced upon the table an ordinance to grant street closing and abandonment application, SCA-30-80, WMATA, Applicant, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
grant Street Closing application,
SCA-31-80, WMATA, applicant

On motion of Councilman Tyner, there was introduced upon the table an ordinance to grant street closing and abandonment application, SCA-31-80, WMATA, applicant, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
grant Street Closing application
SCA-32-80, WMATA, applicant

On motion of Councilman Freeland, there was introduced upon the table an ordinance to grant street closing and abandonment application, SCA-32-80, WMATA, applicant, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
grant Street Closing application
SCA-33-80, WMATA, applicant

On motion of Councilman Abrams, there was introduced upon the table an ordinance to grant street closing and abandonment application, SCA-33-80, WMATA, applicant, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
Appropriate Funds and Levy Taxes,
FY 82

On motion of Councilman Abrams, there was introduced upon the table an ordinance to appropriate funds and levy taxes for fiscal year 1982, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
Amend Chapter 7, Section 7-2.16 of
the Laws of Rockville, entitled
Water consumption charge.

On motion of Councilman Freeland, there was introduced upon the table an ordinance to increase the water consumption charge, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
Amend Chapter 7, Section 7-2.17
of the Laws of Rockville, entitled
Water and Sewer Utilities, to
increase the sewer usage charge.

On motion of Councilman Tyner, there was introduced upon the table, an ordinance to increase the sewer usage charge, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of Ordinance: To
Amend Chapter 7, Section 7-2.19
of the Laws of Rockville, entitled
Water and Sewer Utilities, to
provide the authority to the
City Manager for the adjustment
of utility bills under certain
circumstances

On motion of Councilman Abrams, there was introduced upon the table, an ordinance to provide the authority to the City Manager for the adjustment of utility bills under certain circumstances, said ordinance to lay over at least one week before final action is taken.

Re: Approval of Greens Fees for
Redgate Golf Course

At a recent Mayor and Council meeting a question was raised concerning non-residents' golf fees. The Council suggested that the staff come back with a recommendation on charging different rates for those who live in and outside the City. Most jurisdictions that the staff interviewed did not have a non-residents' greens fee. One problem is verifying residency is time consuming and creates difficulties which inconveniences both residents and non-residents. Because of other problems involved, the staff recommends that the fee structure remain the same, since installing a non-residents' fee would slow down play and drive non-residents away. It could also drive residents away and would reduce revenues.

On motion of Councilman Freeland, duly seconded and unanimously passed, the Council agreed to the staff's recommendation of no change in the fee structure.

Re: Adoption of Ordinance: To Levy Assessments - Water and Sewer mains and laterals in Rockville Estates (Plats 12907 and 12908)

Ordinance No. 8-81

On motion of Councilman Freeland, duly seconded and unanimously passed, Ordinance No. 8-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, levying assessments for water and sewer mains and laterals in Rockville Estates, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To Levy Assessment - Water and Sewer mains and laterals in Orchard Ridge (1A) Subdivision (Plat No. 12704)

Ordinance No. 9-81

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance No. 9-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, levying assessments for water and sewer mains and laterals in Rockville Estates, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To Levy Assessments - Water Main in Montgomery College Urban Renewal Area (Plat 12647)

Ordinance No. 10-81

On motion of Councilman Freeland, duly seconded and unanimously passed, Ordinance No. 10-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, levying assessments for a water main in the Montgomery College Urban Renewal Area, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To Levy Assessment - Concrete sidewalk in Congressional Lane, north side - Project Number 070122

Ordinance No. 11-81

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance No. 11-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, levying assessment for a concrete sidewalk in Congressional Lane, north side, Project Number 070122, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To Levy
Assessments - Driveway Aprons,
various locations, Project No. 000012

Ordinance No. 12-81

On motion of Councilman Tyner, duly seconded and unanimously passed, Ordinance No. 12-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, levying assessments for driveway aprons at various locations, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To propose
public improvements and set hearing
date for construction of sidewalk
along south side of Maryland Avenue,
Fleet Street, to 40 feet west of
Argyle Street, Project No. 001621

Ordinance No. 13-81

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance No. 13-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, proposing public improvements and setting a hearing date for construction of a sidewalk along south side of Maryland Avenue, Fleet Street, and 40 feet west of Argyle Street, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To Grant
Text Amendment Application, T-42-80

Ordinance No. 14-81

On motion of Councilman Freeland, duly seconded and unanimously passed, Ordinance No. 14-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, granting text amendment application, T-42-80, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To
Amend Chapter 14A of the Laws
of Rockville, entitled Plumbing
Code, to change the renewal date
for Master Plumber's License

Ordinance No. 15-81

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance No. 15-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, changing the renewal date for Master Plumber's License, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To Amend
14B of the Laws of Rockville
entitled Electrical Code, to change
the renewal date for Master
Electrician's License

Ordinance No. 16-81

On motion of Councilman Tyner, duly seconded and unanimously passed, Ordinance No. 16-81, the full text of which can be found in Ordinance Book No. 10 of the Mayor and Council, changing the renewal date for Master Electrician's License, was adopted by the Mayor and Council.

Re: Citizen's Forum

The Mayor opened the meeting to all those citizens who wished to address the Mayor and Council.

1. Jennie Forehand. Delegate Forehand told the Mayor and Council that the State of Maryland has set aside \$1 million for elder citizens' activities centers. She suggested that the staff begin working on making an application for those monies and she would be pleased to meet with the Council in the future to discuss this year's legislative session. The Mayor and Council thanked Delegate Forehand for her efforts.

2. Sally Drummond, PTSA, Broome Middle School. Mrs. Drummond addressed the Mayor and Council concerning the Superintendent's decision to close Broome Middle School. She said that even though the community is aware of budgetary restraints, and problems of movement of students, it is the community's feeling that the policies are being applied capriciously in this instance. For many reasons, the community is contesting the superintendent's decision. They will not accept the blind planning and have not been given the data that contributed to the decision. At the same time, the community is not aware of the final disposition of the 9.4 acres that currently houses the school, since everything is shadowed in secrecy. She asked for the aid of the Mayor and Council. The Mayor thanked all those present from the Broome PTSA and explained that the Mayor and Council is not directly involved and has no authority in school board decisions. He asked the City Manager to write and ask that the community be made part of the decision and the data be made available to them.

3. Charles Dresser from Montgomery College. Mr. Dresser addressed the Council and asked that a traffic light be installed at the intersection of North Campus Drive and Rt. 355. He explained that a letter had been sent

from the City Manager, but he wanted the Mayor and Council support. Mayor Hanna told Mr. Dresser that a letter from the City Manager assures the Council's support and the City will assist the College.

4. Steven Fisher, Burgundy Knolls Neighborhood Alliance. He noted that the recently published Capital Improvements Program, Project T-500, shows the traffic light at Gude and Taft listed as complete and it is not, and he would like to see it done. Mayor Hanna said the City will be happy to rectify the error.

5. Al Kremold, Fletcher Place. Mr. Kremold brought to the Council's attention the fact that on May 5 there will be a hearing held by the Board of Education concerning the closing of Broome. He suggested that the Mayor and Council might testify instead of writing a letter. He asked what the City's final disposition might be of the use of the site and does the City have a say in the zoning. Mayor Hanna explained the school boards' use of the property would be for educational purposes and when it was no longer used, it would be returned to Montgomery County. The City is on record as asking that when school property became available, the City have first refusal; however, at this time, the City has no way of knowing any of those decisions.

Re: Public Safety Forum

The Public Safety Forum began with opening remarks by Chief of Police Jared Stout who explained that he is here this evening to ask the Council to consider the City supplementing the County's investigative efforts which, at the present time, are less than adequate. There is no follow up at the present time unless there is a known suspect. This is because of no lack of willingness or skill on the part of the County, but it is simply a manpower problem. If the City were to have two additional officers, it would assist in the follow up. This evening the police are asking for a consensus from the staff and the community on the direction they should follow, since at the present time the City's force is stretched to capacity and whether or not they can do investigating as a matter of policy, can only be decided with supplementary manpower. The Mayor then opened the meeting to those speakers who wished to address the Council.

1. Michael Murphy of the New Mark Homeowners Association. Mr. Murphy said he applauds the City and the County's cooperative efforts, but he would suggest the City consider police patrols on foot, even if only occasionally since it would be a deterrent to crime. He also asked for an increased emphasis

on educational programs to make residents aware of their responsibilities to assist in crime prevention. He mentioned a fear on the part of people to becoming involved or being a nuisance or expecting retaliation if they do report a crime. He suggested education might dilute this problem. He then addressed the problem of the detention center on Seven Locks Road, which is currently being used as a jail due to overcrowding in other places. He asked that the County consider the installation of some type of siren or warning device to alert people to an escape, since recently, there have been escapes in the direction of the New Mark community and homeowners were not made aware of it. In answer to Councilman Tyner's question, Mr. Murphy said a foot patrol would be best used in the common areas of New Mark Commons but on a random basis, it could be used at the private homes, also. Councilman Tyner asked about the confidentiality of those reporting crimes. Chief Stout explained that under the neighborhood watch program there is no need to give names. Councilman Freeland noted that the periodic reminders are certainly helpful. Sometimes the staff can get a feeling that once an education program is done it does not need to be repeated, but education in the area of public safety must be repeated all the time. Mayor Hanna asked Mr. Murphy if the New Mark Commons Homeowners Association thought the police function was important enough to pay increased taxes. Mr. Murphy said it has not been discussed at the Homeowners meeting but he personally would pay more for increased police officers and he will ask the homeowners at the next meeting.

2. John Paparazzo, 690 Azalea Drive. Mr. Paparazzo explained that he left the City's employ on April 10, formerly being a patrolman. He agreed with Chief Stout, the agency needs more manpower and it has never been up to full strength, either due to injury or departures, vacations, sick leave, etc. This makes it dangerous for those remaining to work. Rockville has the same street crime as New York City or L.A. He explained his reasons for leaving the City which were because of other family responsibilities. He is not a malcontent. At the present time his wife is expecting a baby and if he were hurt or disabled, the City would have no obligation to assist him. He came to the City after years with another agency, because the City's salary schedule was better, but now it is on a par. He has found the biggest complaint not to be the salary scale, but the benefits over the long term. He feels the City should work to retain the present officers. Councilman Freeland asked him how the City compares with other jurisdictions as to pay or benefits. Mr. Paparazzo said the pay is equal, but Montgomery County's benefits are better, but he is

not qualified to speak to that in detail. Chief Stout explained that the State's or Montgomery County's system have a retirement disability combination that is superior. Councilman Tyner asked what areas the Mayor and Council should think about excluding from police work as the work load gets too heavy. Mr. Paparazzo said restricting officers in the performance of their duty can take away a policeman's judgment and initiative and that should not be considered.

3. Glenn Looper, Rockville Chamber of Commerce. Mr. Looper said follow-up investigation of burglary and larceny and motor vehicle theft in Rockville and in the County is inadequate, since only those crimes dealing with more than \$3,000 are investigated. The City should consider expanding the force to create investigative units. He said in all activities, additional personnel are needed and the City should work to retain qualified officers by increased salary and a good benefits package. Mr. Looper said as a private citizen he has had experience with the City's force because of crimes at his business. He has the utmost respect for the men and what they are doing. Mayor Hanna asked if the Chamber of Commerce would consider paying increased taxes to support more police. Mr. Looper said he does not know about the entire Chamber, but he, as an individual, would.

4. Wayne Campagna, F.O.P. Frank Geary Post. Officer Campagna gave a prepared statement to the Council in which he presented crime statistics and he explained that with the arrival of Metro to the Rockville area, additional safety concerns will be arising. He supports the Chief's recommendation for two additional officers and recommended three more police officers be added to the present uniform patrol division. He spoke of the poor way in which the City administration handled a disabling injury to a police corporal and asked that this be improved, also life insurance benefits and retirement. He asked the City consider the appointing of a task force to look into improved benefits. Councilman Tyner asked how the new officers should be used. Mr. Campagna suggested they be added to the present patrol staff. Councilman Tyner asked about the assistance the new data processing system would be to the police and Mr. Campagna said it would help to maintain proper data but the difficulty with an electronic system is if the system is down, ordinary means must be used to retrieve information. Councilman Tyner asked Officer Campagna's views on

the New Mark suggestion of a foot patrol. Mr. Campagna said it would be most beneficial since it would make the officers feel closer to the community. Mayor Hanna asked Chief Stout if there is a high rate of injuries to the force. Chief Stout said that a corporal recently had a bad injury but there are only two others, caused by motorcycle accidents. The accident rate in the City compares favorably with other jurisdictions. Mr. Campagna explained that one injured officer really decreases the numbers on such a small force.

5. Ted Roberts, 518 Beall Avenue. Mr. Roberts said he would agree to a lower dollar figure crime being investigated since this would certainly be a deterrent and at the same time he would like to see the force strengthened in general, but at the same time there are additional items of public safety that need to be addressed. He said he is most concerned with people going 30 m.p.h. in a 25 m.p.h. zone and more interested in school buses in the City that travel at the rate of 40 m.p.h. in a 15 m.p.h. zone. He said the walkways on Beall Avenue from Suburban Trust to his home cause him to cross the street four times and cars are always parked in the walkway and crossing any street in downtown, even right at the police station is quite risky, so even with more dollars being added, the Mayor and Council must continue to reexamine the priorities of the City as regards public safety.

6. Charles Simpson, F.O.P. Mr. Simpson said he represents the State-wide organization. He read a letter to the City illustrating the point of how difficult it is when somebody works alone and the accidents that can happen to them. He asked that the Mayor and Council never consider allowing officers to work without assistance and run the risk of losing an officer as Montgomery County did recently. He pointed out the fact that the City does not have a good disability program and the lack of that may cause an officer to second guess whether or not he will investigate a dark building.

7. John Brewer, 100 N. Van Buren Street. Mr. Brewer said with the increasing crime rate, it does make good sense to add staff to the existing force. He said the West End Civic Association lacks sufficient information to make an informed decision on the cost of adding personnel and what that would reflect in the tax rate. He suggested a public safety commission could be formed which could also look into items such as fire safety in high rises since there are many items under the blanket of public safety besides police. He said traffic is something that must be addressed more

closely by the police when you consider the heavy volume of traffic in the West End cut through of Middle Lane, Harrison Street, etc. He pointed out to the City the vagrancy problems that exist in down town that he has noticed in his walking. Councilman Abrams asked Chief Stout what the cost per officer. Chief Stout explained that the cost per year is \$18,000 per officer and that comes to between \$38,000 and \$40,000 for two men and their fringe benefits. Councilman Freeland asked for staff's recommendation on a public safety commission.

8. David Larue. Mr. Larue spoke in support of Chief Stout's request for two additional officers. He said he is concerned with what contingency plans the city has if the Montgomery County should decide to further curtail their services to the City. He would be willing to pay for the additional law enforcement because increased closure of crime has a direct influence on his insurance and the safety of his home. He said he is concerned with the fact that some people may not be able to afford insurance and the continuance of robberies by amateurs who know that if it is less than \$3,000 the chance of them being caught is miniscule. He noted that Potomac Woods has had the benefit of a visit by the City Police and additional educational programs should be continued.

9. Steve Fisher, Rockville Civic Federation. Mr. Fisher said the Civic Federation has the matter of an increase of police on its agenda and it may be justified. He pointed out the judicial system, however, is a problem and so is the legislature. To attack crime successfully, it is necessary to understand the entire problem, not only from the police standpoint.

10. Mansfield Kaseman, 704 Carter Road. Rev. Kaseman said that he must compliment Chief Stout and the department for the work they are doing. The Chief is very much in charge and there are no complaints about the police. He said in the future the County will be doing less investigative work and less work in the area of drugs. He would like to see a program developed in Rockville to make our community a better place in which to live. There is at the present time a rising problem with race relations, both Ku Klux Klan and evidence of anti-semitism. Councilman Abrams asked if the police know the size of the narcotic problem in Rockville. Chief Stout said it is nowhere near epidemic proportions of earlier years but there is a cocaine problem currently with the well-to-do. Councilman Abrams suggested that the drug

education may come from areas other than police. Rev. Kaseman said yes but an interagency approach is always the best.

11. Patrick Gavin, Twinbrook, a member of the Police Department. Mr. Gavin said there is a moral problem in the police department due to the high turnover rate and also poor disability and retirement benefits and the pay schedule is not up to par. Neither is there a take home car program. He explained that he will be going to work in 20 minutes and he will be on duty with an officer who has been with the City for less than a year. It is far better to be with more experienced people. Additional man-power is needed and needed badly because the citizens are not getting the patrol they want.

12. Mr. Roberts again addressed the Council and questioned what the City would get for an increase in police force, how much can it be improved and how good will a little help be. Mayor Hanna said the only time the City does an increase is at budget time and no one has spoken for the increase at other budgets. He told the people present this evening that if they feel additional police are needed and are willing to pay for it, they will speak up for it at that time. Councilman Tyner applauded the officers who had spoken this evening since it is excellent to have the officers themselves tell what is needed.

13. An unidentified woman spoke to the Council and reiterated the request for more officers and said the City needs more police.

14. Mr. Brewer spoke again and complimented Chief Stout on allowing the officers to come forward this evening and address the Mayor and Council. Councilman Freeland thanked all those present and asked that more input be given at the time of budget from the various organizations.

Re: Management Recommendation for an
Independent Audit

A management letter has been given to the Council by Arthur Anderson Co. in connection with the FY 80 audit. They made the following recommendations:

1. The City prepare interim financial reports
2. The City establish procedures for formal monitoring of capital projects, and
3. The City consider changes to Accounting Policies.

All of these items have been addressed by the Director of Finance. Mr. Bert Edwards spoke to the Council and discussed the method of posting and accounting accrued leave. The Council discussed accrual priorities. Mayor Hanna thanked Mr. Edwards for their recommendations and said they will certainly be taken into consideration.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. Phyllis Thayer, re occupancy permit legislation
Rose Miller, re occupancy permit legislation
2. Notice of energy conference
3. K.A. Rosenberg, Attorney, re PRU-16-81
4. S. Sante, re bumby sidewalk

Re: Information Items

The Mayor and Council noted the following items of information

1. Montgomery County CATV timetable

Councilman Tyner asked that information on Montgomery County's CATV be brought to the Montgomery Municipal League, Montgomery County Chapter League this Thursday.

2. Memo to Mayor and Council re Annual Leave
3. Notice of Rockville Civic Federation meeting

Councilman Tyner noted the conflict between the Maryland Municipal League and the Civic Federation.

4. Copy of letter to Congressman Barnes from Councilman Abrams
5. Update on citizen complaint
6. Planning Department Bulletin
7. MML Chapter Agenda

Councilman Tyner noted that the Municipal League agenda was included.

8. Progress report on zoning inspection and enforcement program
9. Update on Gude Drive design
10. Memo on citizen complaint
11. Draft letter to Congressman Barnes re revenue sharing
Mayor Hanna instructed the staff to send the letter.

12. Progress report on speed humps

Councilman Tyner noted the receipt of the report.

13. Community Profile

14. Responses to data processing r.f.p.'s

Councilman Abrams moved that since the proposals had not been returned that the staff consider accepting them even though they were received a little after the time. Mayor Hanna disagreed and said that it would be a bad practice to entertain any proposal after the specified rules were laid down; they cannot be violated. Councilman Abrams did not agree and said that regulations should make sense and no benefit would accrue to any one by someone being late. Mayor Hanna again disagreed and said the only way you can guarantee 100 percent fair treatment is to abide by all the rules. Council made no change in the procedure

15. Copy of letter to MD D.O.T. re a traffic problem on Rt. 355

Re: New Business

1. Councilman Tyner instructed the Clerk to place an ad in the paper scheduling a hearing on the current yield tax to allow the Council the flexibility of raising the rate above the Constant Yield if it is required or asked for by the citizens at the time of the public hearing. The Council agreed to this.

Re: Executive Session

On motion of Councilman Abrams, duly seconded and unanimously passed, the meeting was closed for executive session to discuss property negotiations.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 12:50 a.m. to convene again in general session on Monday, April 27, 1981, at 8:00 p.m. or at the call of the Mayor.